

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21513 of 2004

Between:

Smt. Baliboina Ramanamma,

W/o Ankaiah,

R/o Kondareddypalli (G),

Kothapalli, Varikuntapadu (M),

Nellore District.

..... PETITIONER

AND

The Mandal Revenue Officer,

Varikuntapadu (M), Nellore District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of mandamus declaring the inaction of the respondent in taking appropriate action to conduct survey and demarcation of the land which is in possession of the petitioner, admeasuring Ac.2-29 cents in Sy.No.542/14, situated at Kondareddypalli (G), Kothapalli, Varikuntapadu Mandal, Nellore District, in the light of representation of the petitioner, as illegal, arbitrary, and violative of principles of natural justice and consequently direct the respondent to conduct survey and demarcation by disposing of representation dt. 28-10-2004 of the petitioner and also consider the case of the petitioner for assignment of the said land,

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent: GP FOR REVENUE

The Court at the admission stage, made the following :

HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION No. 21513 Of 2004

ORDER:

The petitioner made a representation to the respondent on 28-10-2004 with a request to survey, demarcate and fix the boundaries in respect of the land admeasuring Ac.2-29 cents in Survey No.542/14, which is in his possession, but no action has been taken. Challenging the same, the present writ petition is filed.

The petitioner claims that she is in peaceful possession and enjoyment of the said land situated in Kondareddypalli (G) Kothapalli, Varikuntapadu Mandal, Nellore Distract, which is a Government land (Anadeenam). She filed a representation dated 28-10-2004 to the respondent with a request to issue patta in her favour and also to arrange survey and demarcate the said land which is in her possession. She further contends that insofar as granting of patta in her favour is concerned, it is for the respondent to take appropriate action.

In the facts and circumstances of the case, I am of the view that the writ petition is misconceived since there is no other allegation in the writ petition as to how she derived the title of the land in question and how she wanted to get the land demarcated. Even according to the allegations made in the writ petition, it is clear that the land, which she claims to be in possession, is Government land. So, unless a patta is assigned to her, she cannot have any right for demarcation of the said land.

Therefore, the writ petition is devoid of merits. However, if any petition or application is made before the respondent for assignment of the land, the same shall have to be considered by the respondent in accordance with law.

The Writ Petition is disposed of in terms of the above observation. In the circumstances, there shall be no order as to costs.

November 24, 2004

Kvr

To

1. The Mandal Revenue Officer,
Varikuntapadu (M), Nellore District.
2. Two C.Cs to the GP for Revenue,
High Court of AP Buildings,
High court of AP, Hyderabad. (O.U.T.)
- 3 Two C.Ds.